
23 Dinas Road,
Hatherley,
Cheltenham GL51 3ER

To: Cheltenham Borough Council Planning Committee

Dear Members of the Committee,

Re: Planning Application Ref: 14/01304/FUL

Proposal: Proposed residential development comprising 11no. dwellings (7no. three bed houses and 4no. two bed flats) with associated car parking and vehicular access following demolition of existing shop, lock-up garages and Alma Road Garage at One Stop Shop 62 Alma Road, Cheltenham

Our home (No. 23 Dinas Road) is located directly behind the Alma Road Garages. My family and I have lived in this house since 1986 following ten years of service in the armed forces

We would like to bring to your attention four issues of concern to us regarding the proposed development:

- 1- Intrusion of Privacy**
 - 2- Lack of Communication**
 - 3- New Gate: Dinas Road Access to the Development**
 - 4- Asbestos and Contaminated Land Removal**
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1 - Intrusion of Privacy (see Pictures 1 & 2)

Under this proposal three new (two storey) houses will be positioned adjacent to our back garden, these houses having direct viewing access into our garden, conservatory, living-room, kitchen, bedroom and bathroom, thus totally compromising our privacy. This latest proposal has moved the houses forward by 2 metres from their position on earlier plans, placing them even closer to our garden and house.

Our garden and conservatory are an important part of our living and secure space, a safe haven used throughout the year. Our privacy and security is of paramount importance to us because they represent a space where we feel free from prying eyes, this being necessary because of previous experience, as follows.

We have for many years endured a barrage of harassment and racial abuse (I being of Peruvian background and my husband white British, an ex British army serviceman). Our windows have been broken; stones, bricks, and mud have been thrown at our house. We have been threatened with metal bars; I have been fired at with a BB gun, resulting in injury to my arm; acid has been poured on our car, and most recently, a laser gun was aimed at our

conservatory and living room. Many incidents have been recorded on CCTV and reported to the police.

As you can appreciate, our garden and conservatory are havens for us, where we are shielded from the devastating activities that can occur at the front of the house facing Dinas Road.

We feel strongly that this new proposal, if accepted in its present form, would destroy the privacy and security we now enjoy in our back garden. We are fully aware of Policy CP4 Note 3, determining minimum distance to adjoining property, and theoretically on paper and on plan drawings the code of practice seems adequate but in practice we believe the development will prove devastating for us. The impact of the development and its encroachment into our living space will perhaps only be fully appreciated after building work has been completed and for this reason I have requested that members of the Planning Committee view our house and garden so they may better appreciate the potential negative impact on our daily lives. My family and I appeal to the Committee members to help us maintain a quality of life free from prying eyes and scrutiny and to be able to bring-up our family and grandchildren in comfort, privacy and security.

2 - Lack of Communication

It is of great concern to us that no-communication regarding this proposal was sent to us. In 2007 we attended a Public Consultation Meeting held at the Bass House Public House. Present at this meeting were Counsellor Anne Reagan, two Cheltenham Borough Council Planning Officers, and neighbours. At this meeting we expressed our concerns regarding the intrusion into our privacy if two storey houses were to be built on this site. We were reassured by the Planning Officers that, adjacent to our back garden, only a bungalow was to be built and that the new bungalow would follow the build pattern of existing bungalows in Alma Road. However, it was also explained to us that, because the Alma Road *One Stop Shop* is an existing two storey building, it could be replaced by a similar structure. This proposal was rejected, and there was no more contact between us and the Council. It was only because of the presence of two new temporary gates, placed at each end of an existing driveway linking Dinas Road and Alma Road and thus blocking the entrance to the site, that I decided to phone the Council querying if any development was going to take place. I was informed they didn't know anything about a development on this site. I then made a second phone, speaking directly to the Planning department, and was told this development was nothing to do with me. I explained that I was directly affected by this development, giving my contact details, and on the 22nd July 2014 we received a letter from the Council informing us for the first time about the development Ref: 14/01304/FUL.

I have since spoken to the Planning Support officer, enquiring to whom *Neighbours Letters* had been sent regarding this proposal. She investigated the database and confirmed that no letters were sent to our home, 23 Dinas Road, except for the letter sent on the 22nd July 2014 which I had personally requested. However *Neighbours Letters* had been sent to 25 Dinas Road. She apologised for the error in not sending us copies of the letters.

Counsellor Anne Reagan explained to me that the planning application for new houses adjacent to the back of our back garden had already been approved, and that this present proposal it is only relevant to the demolition of the Alma Road MOT Garage.

We are extremely concerned that this application has already been approved without an opportunity being given to ourselves as affected neighbours to express our concern, also that no relevant planning notice was or is publicly displayed in the surrounding area.

We believed and trusted the information given to us by Council Planning Officers at the 2007 Public Meeting. They were aware of our concern regarding our privacy and they knew we would object to any development adjacent to our house other than a bungalow.

We appeal to you Committee Members to please uphold the planning information as it was given to us, which we believed and trusted. All the other houses on our side of Dinas Road have bungalows behind their back gardens and they all enjoy the privacy which will be denied to us if this development goes ahead, and we would ask you to take into consideration the concerns expressed in: **1- Intrusion of Privacy.**

3 – New Gate: Dinas Road Access to the Development (see Picture 3)

The developer has proposed installation of a new double gate connecting the site to Dinas Road, for the purpose of providing access to communal dustbins, and this is of concern to us. We fear that criminal elements would use this gate, locked or not, as a short-cut to the new development. The Gloucestershire Police *Crime Prevention Design Advisor and Harm Reduction Officer* has been consulted regarding the overall development, and his report is accessible on-line at the Cheltenham Borough Council's website. However, we would like to bring to your attention some additional relevant facts that are not covered by this report:

3.1 - History of Criminal activity (see Picture 4)

The garages and especially the Dinas Road access to them have a long history of criminal activity including, amongst others, two serious assaults, two robberies, arson, drug-using, drug-dealing, anti-social behaviour and fly-tipping. There has been this month (September 2014) a serious assault with a machete, and last winter a garden hedge facing the entrance to the garages from Dinas Road was set on fire, the flames being so large and intense we were worried that our roof and that of our neighbours was in danger. Furthermore, at least one of the temporary gates installed by the garage owner was vandalised soon after installation, a car ramming the gate, flattening it to the ground.

We strongly believe a gate, even a lockable gate, providing access to the site from Dinas Road will perpetuate these criminal activities and that a preferable alternative is a solid high wall that would represent a barrier to such destructive behaviour, preventing future criminal activities directly affecting Dinas Road and the future occupants of the new development.

We would like to support our petition by applying well establish principles used by the Gloucestershire Police *Crime Prevention Design Advisor's "Crime Prevention through Environmental Design"* by C. Ray Jeffrey, 1971 and also *"Defensible Space: Crime Prevention through Urban Design"* by Oscar Newman 1972 which states: *"it recognised that a well-designed environment, well used by locals and visitors can lead to a*

reduction in the fear and incidence of crime, leading to the improvement in the quality of life..."

We would also like to reinforce our petition by quoting Martin Surl, Police and Crime Commissioner, who has said: ***"It is very tempting to look for a criminal justice solution, but my experience tells me that to achieve lasting change, you need a joined-up approach that includes the public sector and communities affected as well..."*** and ***"I believe solutions that come from local people most affected by a problem; sometimes have a better chance of success than those that are imposed on them..."***

("Fears crime is on the increase in Cheltenham neighbourhoods", article by Michael Yong, posted August 28, 2014, Gloucestershire Echo)

4 - Asbestos and Contaminated Land Removal (see Picture 1)

A *Ground Investigation Report* on the site dated 21 July 2014, carried-out by Derwentside Environmental Testing Services Limited, revealed Asbestos roofing covering the garages and also contaminated land. The summary of chemicals found includes Heavy Metals, Inorganics, Petroleum Hydrocarbons and PAHs. The presence of Arsenic, Cadmium, Chromium, Lead, Mercury, Thallium, Vanadium, and Selenium in the soil, and the Water Chemical Analysis, make a horrific reading list as many of these substances are carcinogenic.

We are extremely concerned for the Health and Safety of our family and neighbouring families. We have previously suffered an incident with contamination of our water supply that occurred when underground Fuel Tanks belonging to the petrol station that previously occupied part of the site suffered a serious leak. As a result of this incident the petrol station was closed. This incident is recorded and held at the Gloucestershire County Council Archives, Environmental office.

Worryingly, the developer *Cotswold Homes*, in their pre-application report paragraph 6.17 declares "these Underground storage tanks (UST) are a potential source of contaminants that would affect human health" but failing to mention that a serious incident has already occurred with contamination of our water supply, affecting homes in Dinas Road and Alma Road. Water samples taken in July 2014 revealed the presence of Benzo fluoranthene, naphthalene Pyrene, phenols, benzene, ethyl benzene, cyanide, and Aliphatic Petroleum Hydrocarbons. In this report I have read that the analysis of metals in water was performed on a filtered sample, therefore represents dissolved metals in the water. These heavy metals and other chemicals could percolate to adjacent lands of neighbouring gardens, infiltrating our water supply. We request that an independent body test our water supply and the land in our gardens, to safeguard the families that may be directly affected. Borehole BH03 is located on the development site immediately adjacent to our back garden area where the former pond was located. This issue raises our concern that such poisonous substances may be presently endangering the health and safety of ourselves and other neighbouring families. We ask you in the strongest possible way to please investigate as a matter of urgency this land contamination and its implications for the present and future health of residents.

Removal of Asbestos roofing and removal of contaminated land will be a huge undertaking and according to the on-line report by the Cheltenham Borough Council Land Contamination Officer, it is to be expected that dust particles, debris and some volatile substances will be released to the local environment during the removal processes, contaminating the surrounding area, ie, our home. This is a risk we do not take lightly, and we are concerned about how the effects of this on us and neighbouring homes will be monitored. These are very dangerous substances that we do not want contaminating the inside of our homes or our water supply thus affecting the health of our family and grandchildren. The Contaminated Land officer who I have spoken with was not at that time aware of the leak from the Underground Storage Fuel Tanks (UST), nor had he then read the full Ground Survey Report. He indicated that suppression techniques will be used to contain airborne particles when cleaning the contaminated land and asbestos roofing. However, he placed the responsibility for checking if any contaminants have reached our house and garden onto ourselves. We request that the Planning Committee ensure that exhaustive tests are carried out, such as collection and analysis of dust particles (from our windows, carpets and floors, garden, dust settled on leaves, etc) as well as analysis of our water supply, soil and ground water.

We thank the Committee for your interest and time spent looking at this Development proposal. We highlight the issues raised above because experience has shown us that we need to be pro-active and take the initiative in requesting steps necessary for the safeguarding and the well-being of our family. We are aware of the housing shortage and the need to prioritise re-use of brown-field sites, but we appeal to you Committee Members to make balanced judgements that are appropriate for both existing and new residents and safe for the community.



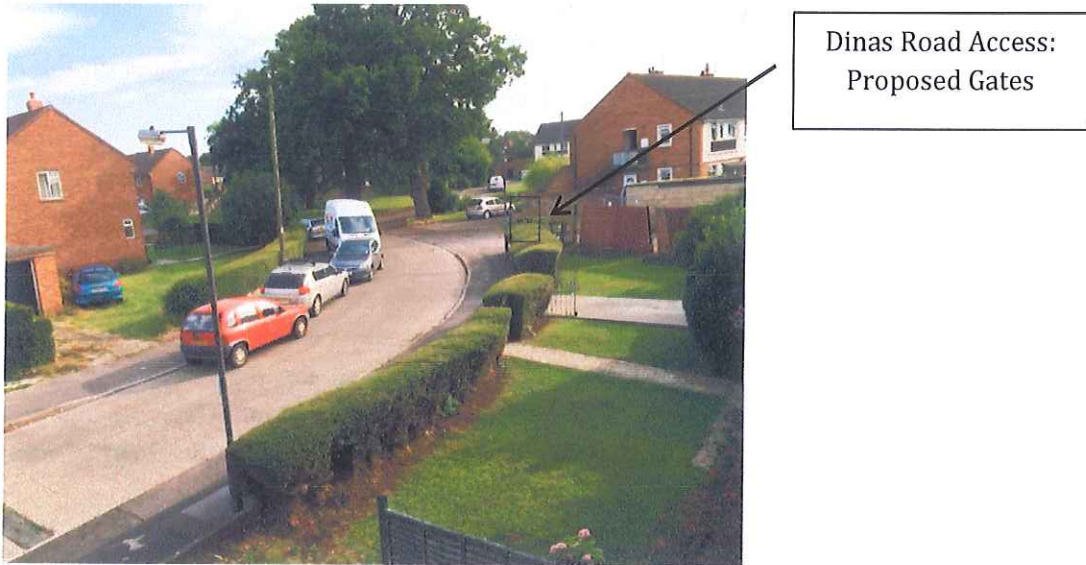
Proposed location of three (two storey) houses

Asbestos Roofing

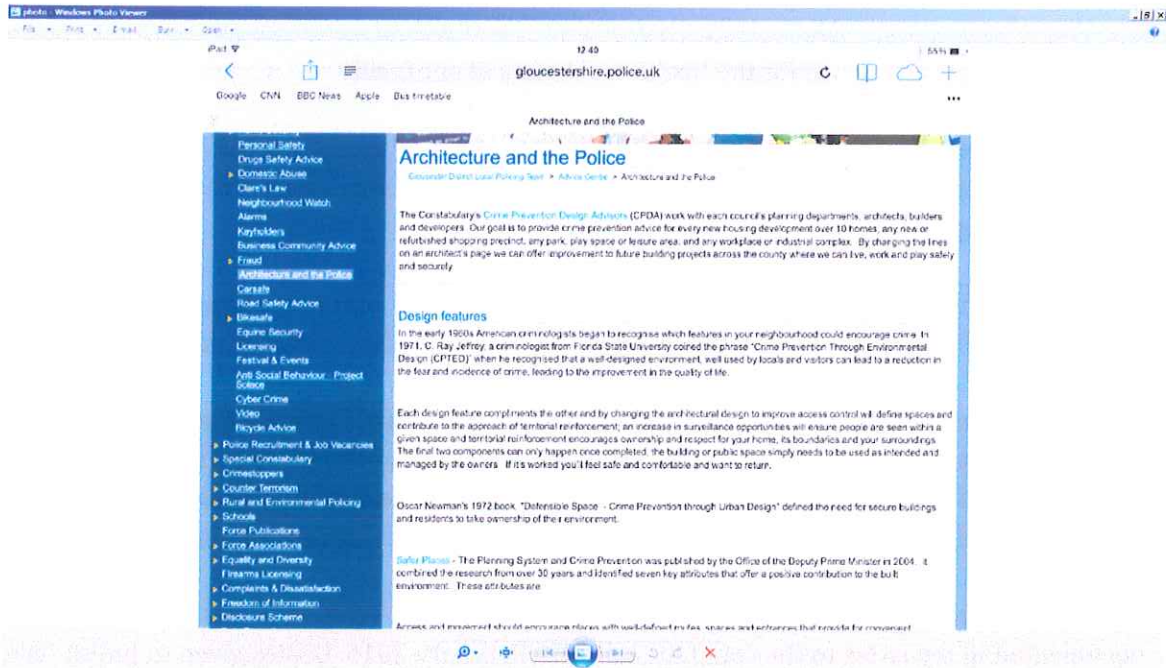
Picture 1



Picture 2



Picture 3



Picture 4

Three minute address to Planning Committee:

Members of the Committee, this address is regarding a proposed residential development on a brown-field site at 62 Alma Road.

Our home at 23 Dinas Road is located directly behind the existing Garages on the Alma Road site. We have lived at this address for more than 29 years.

I would like to bring to your attention the two most important issues that concern us:

1-Intrusion of Privacy

Under this proposal three new two storey houses will be positioned adjacent to our back garden, these houses having direct viewing access to all the daily activities in our garden, conservatory, living room, bedroom and kitchen, thus totally compromising our privacy. This will be unlike the situation of neighbouring houses which have only bungalows behind them.

The privacy and security of our garden and conservatory is of paramount importance to us, a safe haven used throughout the year. This is because we have for many years endured a barrage of harassment and racial abuse. Our front windows facing Dinas Road have been broken; stones, bricks, and mud have been thrown at our house. We have been threatened with metal bars, I have been fired at with a BB gun, resulting in injury to my arm, and acid has been poured on our car. Many of these incidents have been recorded on CCTV and reported to the police.

This new proposal will destroy the privacy and security we presently enjoy in our back garden.

2-Asbestos and Contaminated Land Removal

We are extremely concerned for the Health and Safety of our family and neighbouring families.

Garages on the site have Asbestos roofing and the land is contaminated by heavy metals, Inorganics, Petroleum Hydrocarbons and other carcinogenic substances, these identified by a ground investigation made in July 2014.

We have already suffered an incident with contamination of our water supply that occurred when the petrol station fuel tanks, previously occupying part of the site, suffered a serious leak.

We request that exhaustive testing be carried out to confirm that contamination is not presently affecting our water supply and soil in our back garden. We also request that, during removal of the contaminants from the site, dust particles be extracted from inside neighbouring homes and gardens to verify that no contaminants are reaching our homes during their removal.

Thank you for your attention. Fuller details of our concerns relating to this development are documented in my letter to the committee on 16th February 2015. Copies given to Judith Baker on this date.